

Express mail number: EU 799607036 US
Serial number 10/574,826

Attorney docket no. 33331-006
Date: March 10, 2008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Levine et al.
Serial Number: 10/574,826 Examiner: Not yet assigned
Filing Date: October 8, 2004 Art Unit: Not yet assigned
For: Antiviral proteins with improved properties and methods therefore

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Response to Notification of Missing Requirements under 35 U.S.C. 371

Dear Sirs:

Responsive to a Notice of Missing Requirements mailed January 22, 2008 from the United States Patent and Trademark Office, Applicants submit herewith:

an executed Combined Declaration and Power of Attorney for the inventors in the above application in compliance with 37 C.F.R. 1.63;

a copy of the Notification of Missing Requirements under 35 U.S.C. 371;

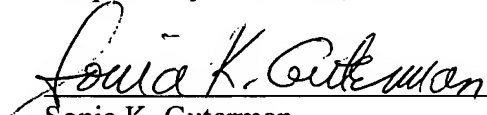
a check in the amount of \$65.00 for payment of the surcharge for filing a late Oath or Declaration;

a return postcard; and

a copy of a Statement in support of computer readable form submission under 37 C.F.R. § 1.821(f). The Statement in support was submitted on August 17, 2007 and was stamped as received by the PCT Receiving Office of the United States Patent and Trademark Office on August 17, 2007. This document is of record in the above application. See print out of the available documents in Private PAIR listing a CRFS received on August 17, 2007, further attached hereto.

As this response is submitted before March 22, 2008, Applicants believe that no additional fees are due, however, in the event that an extension of time is necessary, Applicants petition therefore, and the Commissioner is hereby authorized to charge payment of any additional fees to Deposit Account No. 503344, Ref. No. 33331-006.

Respectfully submitted,



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Dated: March 10, 2008

3-11-08

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
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 Alexandria, Virginia 22313-1450
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/574,826	Howard L. Levine	33331006

48425
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RECEIVED

JAN 24 2008

INTERNATIONAL APPLICATION NO.	
PCT/US04/33230	
I.A. FILING DATE	PRIORITY DATE
10/08/2004	

CONFIRMATION NO. 3676
 371 FORMALITIES LETTER

LAWSON & WEITZEN, LLP



Date Mailed: 01/22/2008

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- Indication of Small Entity Status
- Copy of the International Application filed on 04/06/2006
- Copy of the International Search Report filed on 04/06/2006
- Preliminary Amendments filed on 04/06/2006
- Biochemical Sequence Listing filed on 04/06/2006
- U.S. Basic National Fees filed on 04/06/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- **\$65 Surcharge.**
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patent Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patent Software Program Help @ ebc@uspto.gov

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

DEBORAH D WILLIAMS

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